

REMARKS

Claims 1-3, 6-8, 14-16 and 19 are rejected under 35 USC 103(a) as being unpatentable over Dawson, U.S. Patent Publication No. 2003/02349453, in view of Nara, U.S. Patent Publication No. 2001/0017620. This rejection is respectfully traversed.

Claim 1 recites “a comparator which compares shared folders of the present search with those of the last search.” The Examiner asserts that Dawson teaches that if the found set is not confirmed by the user, an alternate method (step 72) is automatically initiated on behalf of the user to find appropriate images to share (para. [0100]). However, the Examiner is mischaracterizing Dawson in this regard. Dawson teaches that a theme is applied to the database to search and retrieve images that are associated with the theme (para. [0100], lines 4-6). The set of images found are then displayed for the user to confirm that these are images that are to be shared (para. [0100], lines 10-13). If the user does not confirm that the set of images, an alternate search method is used. This does not mean that the shared folders of two different searches are compared. Dawson does not discuss any comparison.

In the alternative, the Examiner suggests that Nara teaches this feature at paragraphs [0054] to [0057] but fails to set forth why one of ordinary skill in the art would have been motivated to modify Dawson to compare shared folders of a present search with those of the last search. Dawson’s system merely searches the user’s computer for images which are to be shared, and once a confirmation is registered that the images that are to be shared have been located by a search, the process moves on to the next step of actually sharing the images. There is no need to compare the results of the two searches, and thus one of ordinary skill in the art would not have been motivated to modify Dawson in view of Nara to create the claimed invention.

For at least these reasons, Dawson fails to teach or suggest that which the Examiner asserts and even assuming that Nara teaches that which the Examiner asserts, one of ordinary skill in the art would not have been motivated to modify Dawson in view of Nara to create the claimed invention. Accordingly, applicant submits that the features of claims 1, 6, 14 and 19 are not taught

or suggested by Dawson, Nara nor a combination thereof. The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn

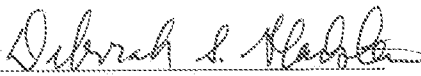
Claims 4-5, 9-13, 17-18 and 20-22 are rejected under 35 USC 103(a) as being unpatentable over Dawson, in view of Nara as applied to claims 1-3, 6-8, 14-16 and 19 above, and further in view of Tamura, U.S. Patent No. 7,027,427. This rejection is respectfully traversed.

These claims are allowable at least due to their respective dependencies and further in view of Tamura's failure to overcome the deficiencies of Dawson and Nara. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772035900.

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